

REMARKS

Claims 14, 16-17 and 19-37 are pending with claim 18 being canceled and claim 37 being added.

Claim Amendments

Claims 16-17 and 19-34 have been amended to conform their preamble with the independent claim. Applicants respectfully submit that these amendments do not narrow the scope of these claims because it merely makes explicit what is inherent.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Applicants have canceled claim 18, and thus, applicants respectfully submit that this ground of rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

Claims 14, 19-22, 27-28, 30-32, 34 and 36 stand rejected as allegedly being unpatentable over U.S. Patent No. 4,892,392 (Broer) in view of U.S. Patent No. 4,084,884 (Raynes). In addition, claims 23-26 stand rejected as allegedly being unpatentable over Broer in view of Raynes, and in further view of U.S. Patent No. 4,261,652 (Gray). Applicants respectfully traverse these rejections.

Applicants respectfully submit that there is insufficient motivation to combine the references as alleged. Particularly, as admitted in the action, Broer does not teach or suggest a film having a splayed structure, i.e., where the tilt angle varies in a direction normal to the layer. Rather, Broer discloses a polymeric layer made by orientating a liquid crystal monomer in an electric or magnetic field and subsequently polymerized. See, e.g., col. 2,

line 64—col. 3, line 1. There is no teaching or suggestion to modify this polymer to form a splayed structure.

Raynes creates a twisted and splayed structure by aligning individual liquid crystal molecules by rubbing or oblique evaporation. See col. 1. These techniques can create a twisted nematic cell with a splayed form. See, e.g., col. 6, lines 56–65 and col. 15, lines 25–37. However, there is no teaching or suggestion that these techniques would be applicable with the polymer of Broer. Moreover, Broer fails to provide any desirability of modifying its tilted structure to that of a splayed structure. Even assuming that such desirability is present, one of skill in the art would not look to Raynes because Raynes does not relate to polymer films at all, but rather individual-type liquid crystal molecules.

Furthermore, Raynes fails to teach or suggest an untwisted, splayed orientation for polymer layers or polymerizable liquid crystal materials (relevant to claim 37).

What is more, Gray fails to cure the deficiencies of the alleged combination of Broer and Raynes.

Thus, applicants respectfully submit that these rejections should be withdrawn.

Allowable Subject Matter

Applicants acknowledge the allowance of claim 35 and the allowability of claim 29.

In view of the above, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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